



**King County**  
Department of Development and Environmental Services  
Land Use Services Division  
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## **Bulkhead Development & Exemptions: Additional King County Shoreline Requirements**

Alternative formats available  
upon request

Shoreline protection is not considered an outright permitted use and shall be permitted only when it has been demonstrated that shoreline protection is necessary for the protection of existing legally established structures and public improvements, or the preservation of important agricultural lands. The burden of proof of the need for shoreline protection rests on the applicant(s).

In order for a proposed bulkhead to qualify for exemption from shoreline permit requirements (RCW 90.58.030(3)(e)(ii), (iii) and to ensure that such bulkheads will be consistent with this program (as required by RCW 90.58.140(1)), the Department of Development and Environmental Services will review the proposed design as it relates to local physical conditions, the King County Shoreline Master Program, and the following requirements:

1. Erosion from waves or currents is imminently threatening a legally established residence or one or more substantial accessory structures, and
2. The proposed bulkhead is more consistent with the King County Shoreline Master Program in protecting the site and adjoining shorelines than nonstructural alternatives, such as slope drainage systems, vegetative growth stabilization (i.e., bioengineering), gravel berms and beach nourishment, or the proposed bulkhead will not adequately protect a legally established residence or substantial accessory structures, and
3. The proposed bulkhead is located landward of the ordinary high water mark, or it connects to adjacent, legally established bulkheads, and,
4. The maximum height of the proposed bulkhead is no more than one foot above the elevation of extreme high water or tidal waters as determined by the National Ocean Survey published by the National Oceanic and Atmospheric Administration, or four feet in height on lakes.
5. Shoreline protection shall not have adverse impact on the property of others.
6. Shoreline protection shall not be used to create new lands.
7. Shoreline protection shall not significantly interfere with normal surface and/or subsurface drainage into the water body.
8. Shoreline protection shall be designed so as not to constitute a hazard to navigation and to not substantially interfere with visual access to the water.
9. Shoreline protection shall be designed so as not to create a need for shoreline protection elsewhere.

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10. Bulkheads on Class 1 beaches shall be located no further waterward than the bluff or blank line.
11. Bulkheads shall be constructed using an approved filter cloth or other suitable means to allow passage of surface and groundwater without internal erosion of fine material.
12. Consistent with the provisions of WAC 197-27-020(2)(b) (SEPA State Environmental Policy Act), if a bulkhead has deteriorated such that an ordinary high water mark has been established by the presence and action of water landward of the bulkhead, the replacement shoreline protection shall be located at or shoreward of the actual ordinary high water mark.
13. An applicant for a shoreline Substantial Development Permit or for an exemption from the requirement for a Shoreline Substantial Development Permit for shoreline protection shall submit to the department for its review a geotechnical report acceptable to the department analyzing the causes and rates of erosion at the site. The department shall issue a Shoreline Substantial Development Permit or an exemption from the requirement for a Shoreline Substantial Development Permit for a shoreline protective structure only if the geotechnical report demonstrates that wave or current action is the primary agent of erosion, and only after feasible, non-structural alternatives have been analyzed. If poor drainage, improper vegetation management, slope failure, or other phenomena are the primary causes of the shoreline or bluff erosion at the site, these problems shall be corrected before a permit for repairing or replacing a shoreline protective structure will be granted.

### **Additional Requirements**

- A. Provide photographs of the subject project: two from each side view, one perpendicular view, one beach view, and at least one photograph of adjoining properties.
- B. Submit a soil erosion study incorporating the following elements:
  - 1) Structural solutions to reduce shoreline damage should be allowed only after it is demonstrated that nonstructural solutions would not be able to reduce damage.
  - 2) Whenever shoreline protection is needed, natural berms and vegetation should be favored over artificial means.
- C. Bulkheads must be approved by the Washington State Department of Fisheries, Army Corps of Engineers, and/or Department of Natural Resources, if applicable. Proof of such approval must be provided prior to construction.
- D. If the subject bulkhead is located at, or waterward of, the Ordinary High Water Line (OHWL), compliance with the State Environmental Policy Act will be necessary if a Shoreline Substantial Development Permit is required or subsequently following the issuance of a Shoreline Exemption through a Building Permit or Grading Permit, as applicable.

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